

# UNITED STATES DISTRICT COURT

for the

Western District of Virginia

United States of America )

v. )  
William Andrian Dungee )

Date of Previous Judgment: August 11, 1997 )  
(Use Date of Last Amended Judgment if Applicable) )

Case No: 7:96CR00081-001

USM No: 05340-084

Defendant's Attorney

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA

FILED  
*for Roanoke*  
MAR - 7 2008

JOHN F. CORCORAN, CLERK  
BY: *J. F. Corcoran*  
DEPUTY CLERK

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____	Amended Offense Level: _____
Criminal History Category: _____	Criminal History Category: _____
Previous Guideline Range: _____ to _____ months	Amended Guideline Range: _____ to _____ months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

### III. ADDITIONAL COMMENTS

Defendant's original imprisonment term was 115 months. He has been imprisoned for 129 months because he received an additional term of 96 months on September 16, 2005, for an assault he committed while he was an inmate at FCI Petersburg.

Except as provided above, all provisions of the judgment dated 8/11/1997 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-7-08

Effective Date: 3/3/08  
(if different from order date)

*Jackson L. Kiser*  
\_\_\_\_\_  
Judge's signature

Jackson Kiser, Senior United States District Judge  
\_\_\_\_\_  
Printed name and title